1 The Honorable Barbara J. Rothstein 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 WESTERN DISTRICT OF WASHINGTON AT SEATTLE 9 WELLINGTON ATHLETIC CLUB, LLC d/b/a/ SOUL FITNESS, individually and on 10 No. 2:21-cv-00256-BJR behalf of all others similarly situated, 11 Plaintiff, STIPULATION AND ORDER 12 **EXTENDING DEADLINES** v. 13 ALLID WORLD SURPLUS LINES 14 INSURANCE COMPANY, 15 Defendant. 16 WHEREAS, 17 1. Plaintiff filed its Complaint on March 1, 2021, asserting claims for business 18 interruption coverage stemming from government closure orders issued in response to the 19 COVID-19 pandemic. 20 21 2. Together with its Complaint, Plaintiff filed a Notice of Related Cases, Dkt. #2, 22 indicating that numerous other similar actions are pending in this District before this Court (the 23 "Related Actions"). 24 3. Briefing on motions to dismiss, motions for judgment on the pleadings, and/or 25 summary judgment are, or soon will be, completed in the Related Actions. 26 STIPULATION AND ORDER EXTENDING DEADLINES KELLER ROHRBACK L.L.P. (2:21-cv-00256-BJR)- 1 1201 Third Avenue, Suite 3200

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- 4. Plaintiff has also filed in the Related Actions a Motion to Certify Questions to the Washington State Supreme Court. Briefing on the Motion to Certify Questions is scheduled to conclude by April 8, 2021.
- 5. Defendant was served with the Summons and Complaint via the Washington Office of the Insurance Commissioner on March 4, 2021.
- 6. By Order dated March 12, 2021, this Court set deadlines for an FRCP 26(f)
 Conference by April 9, 2021, Initial Disclosures by April 16, 2021, and a Combined Joint Status
 Report and Discovery Plan by April 23, 2021. *See* Dkt. # 8.
 - 7. Defendant filed its notice of appearance in the action on March 25, 2021.
- 8. The Court's rulings in the Related Actions may influence how Defendant chooses to respond to Plaintiff's Complaint, whether by motion or answer.

NOW THEREFORE, in consideration of the above, the Parties hereby stipulate and ask the Court to enter an order, as follows:

- 1. Defendant's deadline to answer or otherwise respond to the Complaint is extended until April 30, 2021.
- 2. The following deadlines are extended: deadline for FRCP 26(f) Conference May 14, 2021; Initial Disclosures May 21, 2021; Combined Joint Status Report and Discovery Plan May 28, 2021.

IT IS SO ORDERED.

DATED this 29th day of March, 2021.

Barbara J. Rothstein

UNITED STATES DISTRICT JUDGE

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1 Presented By: 2 3 DATED this 26th day of March, 2021. 4 KELLER ROHRBACK L.L.P. 5 By: s/ Amy Williams-Derry 6 By: <u>s/Lynn L. Sarko</u> By: s/ Ian S. Birk 7 By: s/ Gretchen Freeman Cappio By: s/ Irene M. Hecht 8 By: s/Nathan L. Nanfelt 9 By: s/ Gabriel E. Verdugo Amy Williams-Derry, WSBA #28711 10 Lynn L. Sarko, WSBA #16569 Ian S. Birk, WSBA #31431 11 Gretchen Freeman Cappio, WSBA #29576 Irene M. Hecht, WSBA #11063 12 Nathan Nanfelt, WSBA #45273 Gabriel E. Verdugo, WSBA #44154 13 1201 Third Avenue, Suite 3200 14 Seattle, WA 98101 Telephone: (206) 623-1900 15 Fax: (206) 623-3384 Email: awilliams-derry@kellerrohrback.com 16 Email: lsarko@kellerrohrback.com 17 Email: ibirk@kellerrohrback.com Email: gcappio@kellerrohrback.com 18 Email: ihecht@kellerrohrback.com Email: nnanfelt@kellerrohrback.com 19 Email: gverdugo@kellerrohrback.com 20 21 By: s/ Alison Chase Alison Chase, pro hac vice forthcoming 22 801 Garden Street, Suite 301 Santa Barbara, CA 93101 23 Telephone: (805) 456-1496 Fax: (805) 456-1497 24 Email: achase@kellerrohrback.com 25 Attorneys for Plaintiff and the Proposed 26 Class

STIPULATION AND ORDER EXTENDING DEADLINES (2:21-cv-00256-BJR)- 3

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